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Salem, December 15, 1856

To the House of Representatives;

In answer to the resolutions of the House of Representatives relative to desired information from the military departments of the Territory, I have the honor to make reference to my communication to the Assembly of the 11th inst. I take this occasion to assure the House that so soon as the chiefs of the several departments shall have reported to me, which they are directed to do with the utmost dispatch, I shall cause the substance and character of those reports to be made known to the Assembly without delay.

(Signed) Geo. L. Curry

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To the Speaker of the House of Representatives:

Sir,

In reply to the resolution of the House of Representatives, passed on the 17th ultimo, I herewith transmit copies of all the correspondence called for by the terms of that resolution, which has not been heretofore transmitted to the Assembly, with the exception of a communication from Joel Palmer, Esq. late Superintendent of Indian Affairs, which he has requested may not be considered as official.

I am, very respectfully,
Your Obedient Servant,
(Signed) Geo. L. Curry
Governor of Oregon

Executive Office
Salem Jany 8th 1857.

January 5th 1857.

A. P. Dennison appointed and commissioned a Notary Public for Multnomah County, Oregon Territory.

January 22d 1857.

E. F. T. Fisher appointed and commissioned a Notary Public for Clackamas County, Oregon Territory.

February 10th 1857.

Joseph Sloan appointed and commissioned Superintendent of Penitentiary, Oregon Territory.

B. F. Bonham appointed Librarian for the Territory

March 30th 1857.

Alexander Campbell, appointed and Commissioned a Commissioner of Deeds &c, for the State California.

Charles De Selding, appointed and commissioned a Commissioner of Deeds &c for the District of Columbia.

Geo. T. Knox, appointed and commissioned a Commissioner of Deeds &c for the State of California.

Philip A. Hoyne, appointed and commissioned a Commissioner of Deeds &c for the State of Illinois.

John M. Mayles, appointed and commissioned a Commissioner of Deeds &c for the State of Illinois.

April 14th 1857.

[illegible] appointed and commissioned a Notary Public for Multnomah County, Oregon Territory.

April 14th 1857.

W. H. Spencer, appointed and commissioned a Notary Public for Umpqua County Oregon Territory.

William Purvine, appointed and commissioned a Notary Public for Polk County Oregon Territory.

May 12th 1857.

S. S. Mann, appointed and commissioned a Notary Public for Coos County Oregon Territory

July 2d 1857.

William G. English appointed and commissioned a Commissioner of Deeds &c for the State of California

Otis Gray Randall appointed and commissioned a Commissioner of Deeds &c for the State of Massachusetts

Charles J. Brenham appointed and commissioned a Commissioner of Deeds &c for the State of California

August 17th 1857

A. J. Thayer appointed and commissioned a Notary Public for Benton County Oregon Territory

September 19th 1857

Sumner S. Ely appointed and commissioned a Commissioner of Deeds &c for the State of New York.

Wm. G. Wiley appointed and commissioned a Commissioner of Deeds &c for the State of Indiana

## September 17th 1857

William Hoffman appointed and commissioned a Notary Public for Jackson County Oregon Territory

J. N. Smith appointed and commissioned a Notary Public for Linn County Oregon Territory

Daniel W. Stearns appointed and commissioned a Notary Public for Umpqua County Oregon Territory

## September 22nd 1857

Archibald McKinlay appointed and commissioned a Notary Public for Marion County Oregon Territory

## November 7th 1857

A requisition issued upon the Governor of California for the apprehension of J. H. Knox and W. H. Piper fugitives from Justice.

## November 20th 1857

M. C. Barkwell appointed and commissioned a Notary Public for Josephine County Oregon Territory

Jasper W. Johnson appointed and commissioned a Notary Public for Multnomah County Oregon Territory

Message transmitted to the Legislative Assembly

Fellow Citizens of the Council and House of Representatives;

As, in all probability, you constitute the last Legislative Assembly that will convene under our present form of government I have deemed it appropriate, if not in the line of official duty, to address you upon an occa which would seem to invite an effusion of thought upon the past and present of our history, and to suggest a consideration of matters touching the interests of the Territory as well as the welfare and prosperity of the State which is soon to be inducted into power.

When the history of Oregon comes to be written, the mind of the historian will be impressed by the earnestness and sincerity of character, the unobtrusive, unostentatious conduct of those who formed its population, from the first reclaiming of the wilderness — the pioneer epoch — to the more refined advancement into social and political existence. Another generation, in the realization of the ease, comfort and affluence, and the various enjoyments of a higher civilization, which will have resulted from ceaseless industry, and undiscouraged enterprise, may accord the meed of praise to the unwearied toil and patient suffering of those who tracked the wilderness and subdued it to the wants of man.

Our pioneer settlers possessed integrity of character. They were energetic and diligent, warm-hearted, and strong-willed. Difficulties and reverses did not dishearten them; dangers could not. These attributes, and labor, constituted their only capital, and with them they achieved success. They were as laborers in the service of utility; the pinchings of poverty, and their daily privations, only made them the more apt and efficient workmen. They accomplished a purpose with every effort. They congregate to award a bounty for wolf scalps, and separate, after having inaugurated the first republican government on the shores of the northern Pacific — the polity of which has received the unqualified commendation of the first statesman of the Union; the only instance of true and successful "squatter sovereignty" in the history of our country.

The Territorial system of government may be regarded as somewhat anomalous, under the federal Constitution in its deprivation of the enjoyment of the full rights of citizenship. It is a imperfect and unsatisfactory form of government, and may continue to be a fruitful source of trouble and discontent. It would seem just and politic, having full faith in the capacity of the people for self-government, that the citizens of the Territories should no longer be debarred the rights, which no Constitutional power prohibits, to elect their executive and judicial officers. Such an amendment of the system would free it from its most objectional feature — that vestige of monarchical custom which should find no practice, or toleration, in a confederation of republican States, where the intelligence of the people is the basis of the government.

The provisional government which had been instituted by the mixed population of Oregon, after an existence of nearly six years, having admirably achieved its purpose gave place to the jurisdiction of the United States, in our present Territorial system, on the 3d day of March, A.D. 1849. In a few months a more satisfactory change will have transpired in the assumption of the powers and authority of a sovereign State. It is a circumstance especially gratifying and congratulatory that, while other Territories have been afflicted with turbulence and desperate feuds, in their effort to perfect their form of government, Oregon has accomplished it with dignity, determining the same question and causes of unhappiness without the disruption of social obligation, the violation of peace, or the infringement of her honor. This in the main is owing to the fact that we have been let alone by outside pseudo reformers and philanthropists that we have not been cursed by the presence of political adventurers and emissaries of fanaticism to excite indecent passion, prostitute the public good, and make the blessings of our fathers a by-word and a scorn. The people of the Territories are fully competent to manage their own political concerns.

They know best their own interests and necessities, and least of all do they require foreign influences to educate them as to their political rights and duties. In the peaceful pursuits of agricultural life the settler seeks to obtain a comfortable subsistence. Nature is his daily companion, and the sentiments she inspires elevate his mind and purify his heart. Is he not to be trusted in the exercise of his prerogatives? Vice does not flourish where agriculture has made her home. The Territories, as the common property of the nation, should be regarded as neutral ground, rather than as arenas for fanatical strifes. Life has a better and higher purpose, and the nation a nobler mission than to be involved in an interminable one-idea crusade.

The constitution, which has been adopted with such a feeling of unanimity, reflects credit upon those who framed it and our citizens have exhibited their excellent judgment in approving it as the fundamental law

It is liberal in its provisions, and in its spirit is in harmony with the progressive and improving impulse of the age. It inculcates the principle of economy in the administration of the government which it is to be hoped may be always rigidly observed and maintained, for extravagance has characterized the times and should be guarded against by every prudent means. There is nothing that will so fetter the usefulness of the State and impair its healthful vitality. It is an instrument that should be patiently submitted to the test of time, and careful practice and construction, before any encouragement is given to any change whatever.

Oregon presents herself for admission into the confederation of States in no unenviable attitude. No indecent haste impairs the undertaking. Time has matured the event. Her constitution compares favorably with those of other States. She has adjusted creditably, permanently and satisfactorily all subjects involving differences of opinion. She has evaded no issue, or responsibility, however delicate or exciting. She understands herself and can be readily comprehended by all. Her manifold interests, in their daily increasing magnitude and importance, demand and inspire the hope that there may be no hesitation or delay in the acknowlegment of her sovereignty.

You are doubtless aware that Dr John Evans, a gentleman of high scientific attainments, has been engaged for some years, under direction of the General Government, in making a geological reconnoisance of this and Washington Territory. With the character of his explorations and the zeal and energy with which they have been conducted, you are likewise familiar. The publication of his report, which is now completed, ought to be a matter of considerable interest, especially to the two Territories, for we may confidently calculate that he has collected much valuable information which will be of importance to the growing interests of this section of the Union. It is desirable that the fruits of his investigations should be made known to the world. I have no doubt that the passage of a joint resolution by your respective bodies, instructing our delegate to request Congress to make the necessary appropriation for the early publication of the results might be of service in accomplishing that end.

The Commissioner of the General Land Office estimates the requisite amount for this purpose at

Pilsf or. He considers the labors of Dr Evans as eminently useful in a scientific point of view, as well as subserving the interests of the Pacific Coast, by indicating the localities of the country possessing mineral and agricultural wealth." He correctly observes:

"Either what has been done in the way of exploration and development of coal deposits, under appropriation by Congress, is to go for nothing and remain useless, or be brought to light in proper form, as proposed by further appropriation, to close the business and make the result available. The effect of the latter measure will be to open up new sources of trade to active industry in the extraction and sale of coal on the Pacific; thereby furnishing the material for the propulsion essential in our rapidly grown steam-commerce on the Pacific, at cheap rates, instead of the enormous cost of the article imported from the east."

Our Indian relations remain in an unsatisfactory state. No demand has been made for the surrender of the murderers of Agent Bolen and Knight, and other Indians guilty of similar outrages, although the Superintendent of Indian Affairs has signified to the commanding officer of this military department, the justice and necessity of such an act. Notwithstanding the uncertain posture of affairs, no apprehensions need be entertained of hostile demonstrations on the part of the Indians west of the Cascade mountains, so long as the Government, by an adequate military force and ample appropriations, maintains its present policy of keeping and subsisting them upon reservations.

The abrogation of the treaties with the Indians east of the Cascades, or rather the failure of the Senate to ratify them, has been regarded as a sufficient cause to justify the closing of the large extent of country beyond the Dalles of the Columbia, against settlement or occupation by the whites. I shall not now undertake to oppose the policy of this measure, however questionable it may be; but I have to observe that the section of the Territory alluded to, has been opened to settlement by positive enactment of Congress. The ratification of the treaties with the Indians west of the Cascades, it should be borne in mind, is only of comparatively recent occurrence. Indeed, the first treaties were rejected. Because of this no authority, military or other, attempted the assumption and exercise of a power, doubtful, at least. When the jurisdiction of the United States was extended over this country and its authority established, through executive and judicial officers, it was, it is presumed, for the purpose of protecting its citizens in the enjoyment of their rights and interests, and afterwards, in order to foster those interests, and increase the population, liberal grants of land were made to those already occupying portions of the public domain, and others were invited to become settlers upon it, by virtue of the provisions of the same law, and receive a similar gratuity. Wherever the settler located his right he held independent of the possessory right of the Indian, which was unextinguished, and the "intercourse law" which was quite as applicable as now. It was not his business to inquire who owned the land. He paid for it, by his labor, to a proprietor powerful enough to guarantee the patent. The expiration of certain provisions of the land law does not affect the inherent principle involved in the subject.

Large sections of country, from which the whites have been thus excluded, are well adapted for purposes of pasturage, being covered with highly nutritious grasses. Our citizens had been regarding its occupation as highly advantageous for their rapidly augmenting herds of cattle and other stock.

Our present highly capable Superintendent of Indian Affairs is wholly engaged in the efficient discharge of the difficult duties of his responsible position. The increase of jurisdiction has made his labors truly herculean. From the forty second to the forty-ninth parallel of north latitude, and from the ocean to the Rocky Mountains, forms now but one Superintendency. This district of country is much too extensive for any one Superintendent, be he ever so efficient. It will be impossible to give entire and complete satisfaction. There should be two, at least, if not three such officers, for a field of service so extended and important. I would respectfully suggest the expediency of your memorializing Congress upon the necessity of authorizing additional Superintendents, so as the better to insure the prompt discharge of every responsibility pertaining to this important branch of the public service.

As I hope and expect in a few months, to be relieved from the further discharge of official duty, by the organization of the State government, and as I shall have no opportunity more fitting, I desire to avail myself of the present occasion to make some brief observations, in reference to my course of action during the recent period in which the Territory was engaged in repelling the attacks of hostile Indians. I do so with the more reluctance, because so much has been said already upon the subject of the war. The wilful perversions of truth, in regard to the policy and conduct of the war — the wanton and calumnious assaults which have been made upon those engaged in it might pass without notice, so far as they affect me personally; but as they reach the people of the Territory, and particularly those brave and patriotic citizens who constituted the volunteer forces, a sense of duty impels me to a different course. I have, at all times, cheerfully held myself responsible for my official conduct, and I cannot but consider it ungenerous, and unjust, that those who have no accountability in the matter — having merely complied with the directions and requests of their chief executive authority — should be subject to censure and abuse. An incompetent General, lately in command of the military department of the Pacific, whose vanity and imbecility made him unequal to the great emergency that occurred, in order to divert the public mind from his glaring omissions of duty, and great military mismanagement, has chosen to make it his especial business to lead on these assaults. — The grossness and mendacity of his communications, whether official or as a newspaper correspondent — render him no longer worthy of respectful notice or consideration. During the war, he was chiefly engaged in travelling upon a safe and comfortable steamship between here and San Francisco, in incubating his opprobrious compositions against a neglected and endangered people, and in bickering and fault-finding with those of his officers who sought to do their duty.

Some of the newspaper editors of the refined East, where the chiefest danger to life arises from voluptuous living, who know the Indian character only through poetry and romance, who seem to care more about cultivating treasonable machinations, and fostering disaffection to the Union, than the advocacy of truth, have filled their columns with wholesale denunciation of their fellow-citizens, inhabiting an isolated portion of the Country, who resorted to arms in defence of life and property, rather than risk the general ruin and butchery, by remaining cowardly inactive. It is painful to conclude that the success of the whites, in repelling the attacks of the ruthless invader, was less gratifying to such mental organizations than would have been the depopulation of both Territories by Indian conquest.

It was the general belief, which has subsequently been fully confirmed, that the most powerful tribes adjacent to our frontier had entered into hostile combination against the whites. In this connection an officer of the regular army has thus written;

"As you will already have learned, the Indian war has become general, and a combination for the purposes of hostility to the whites has been formed on a scale which those most intimately acquainted with Indian character have heretofore believed impossible. × × × × × × × × ×

"In Southern Oregon the Rogue River Indians combined with some of those on the coast, the Umpquas, Pitt river and Shasta Indians, have also broken out into a fresh war and one of evidently intended extermination against the whites."

It is unnecessary for me here to account for the cause of this combination and the subsequent acts of hostility which simultaneously occurred at both extremes of the Territory. The antipathy existing between the two races is no new circumstance. It had its origin far back in the past, in the infancy of the Republic. The history of the settlement of the Ohio and Mississippi Valleys affords overwhelming testimony of the acidity of its bitterness. Indeed, the westward progress of civilization has been continually marked by Indian massacre and warfare. Nor has this Territory been without a mournful record of the turpitude and atrocity of the Indian character, to which the late calamity has added a most melancholy page.

Before the enrollment of a single volunteer, the Indian hostilities had assumed a most serious and threatening character. In the South our people were being surprised and slaughtered and the settlements fired and murder and rapine held high carnival at noon-day. In the North an Indian Agent and other whites had been murdered, and a strong body of U.S. troops forced to retire with great loss. In the presence of these exciting and formidable circumstances while the dismayed settlers were calling upon me for protection, was it for me to calculate the cost of defending the Territory and because it involved great expense timidly decline to act and allow independent and irregular action to override the constituted authority? Any impartial judgment will answer, no! I should have been recreant to duty had I so done, and deserving of the condemnation which is now sought to be passed upon me.

In the embodiment of the volunteer force for service on the northern frontier, a sense of the insecurity of the settlements, and a determination to keep the war beyond them, were the controlling motives which prompted me to augment that force beyond the number I had been called upon to provide by the officer of the army who made the requisition. The number of U. S. troops in the country, beside being stationed at different and remote localities in Washington and Oregon, were inadequate to protect the Territory at the several assailable points. Notwithstanding the increased force called for by my proclamation of October 11th 1855, the Superintendent of Indian Affairs at the time, expressed his apprehension to the head of his department, that "any force that might be obtained under it would be insufficient for the service required." The aim of my policy was a complete and effectual suppression of hostilities, and that by the usual and legitimate mode of warfare. I most emphatically give my denial to the bold assertion that the war "was one of intended extermination" against the Indians. Neither was there an inclination, or disposition manifested by any authority, to give it that character, either by word or deed. The idea is altogether the coinage of a distempered imagination. It is true that the brutal and revolting treatment of our women and children — made prisoners in the incipient attacks of the Indians — the most cruel, shameful and insulting advantages which were taken of captivity, and the horrible mutilation of their persons before and after death, very naturally caused a high degree of exasperation in the public mind. Only towards those who were guilty of these aggravated outrages, was it desired to mete out a merited punishment. There may have been isolated instances, where, moved by the deep emotion of the unjustifiable wrong that had been perpetrated, the passions rose superior to the sober judgment in the bosom of the relative, and made him the instrument of retributive justice.

As I have intimated, my policy contemplated a successful conclusion of the war — my plans were matured — my time and energies devoted to this end. Whether the season was, or was not favorable for operations against such an enemy, there was no alternative but to make an effort for success. In the South, the effective operations of the volunteers and regulars drove the enemy from their mountain fastnesses and compe them to surrender and come in upon the reservations. In the north, after the Yakima campaign, the regulars were ordered into garrison, at a time when their services were of the utmost consequence; therefore the only decisive operations in that quarter were by the volunteers.

So soon as I became aware of the inactive policy determined upon by the officer commanding the military department of the Pacific, as to the confederated tribes of the Columbia, I had either to recall and disband the volunteers, who were then advancing toward the Walla-Walla, and leave the settlements on the North open to incursion and depredation, or prosecute the war with all the vigor it was possible to command. I decided upon the latter course for these reasons: To have retired from the contest at that time would have been tantamount to a defeat. It would have been so regarded by the enemy, and would have emboldened them to the commission of greater outrages and afforded them time and opportunity to strengthen themselves by new alliances. The whole upper country was held by the hostiles, and beyond them were parties of our own citizens in the Colville mines, who, if the enemy were left in undisputed possession, and their attention and power unoccupied, were liable to molestation and destruction. Besides the U.S. Commissioner to the Blackfeet Indians, and his party, were presumed to be upon their return, and would inevitably be exposed to the hostile designs, which, I was credibly informed, had been determined upon against them. When direful necessity compelled me to institute the volunteer service I appreciated alike the magnitude of the undertaking and the inexorable circumstances that required it. To have recalled and disbanded the volunteers upon the threshold of their duty, and left the Territory without defence, would have been, in my judgment, an act unpardonably wrong, and an evidence of gross official incompetency. It would have been a license to Indian aggression and atrocity. The result has vindicated my policy. The brilliant successes of the volunteers broke up the combinations of the enemy. Driven from their winter quarters, defeated, dispirited, and dispersed, they fled into distant localities.

In directing the movement on Walla-Walla I waged no "war on unoffending and friendly." It was within the scope of stubborn malice and senseless prejudice only to give utterance to an accusation so base and false.

I may have committed grave errors in the discharge of my official trusts, but my own conscience, and the truth of history will acquit me of one so serious as this.

Unfortunately there was a difference in the policy that controlled the action of the chief officer of the army on this coast and that which guided me. His policy indicated a cessation of operations, and a resistance by the regulars, in case of attack upon them, only in garrison, and those garrisons were all within the settlements. Mine intended the public security, and the successful suppression of hostilities by active operations and the maintenance of the war in the enemy's country, that they should the more effectually experience and appreciate its horrors and so be moved to peace. It was the success of the Territorial troops, acting under orders in pursuance of this policy, which seemed to have made a necessity for self vindication on the part of that officer, for neglect of duty, by efforts however vain and impotent. Hence the voluminous reports and untruthful accusations emanating from this, and similar sources.

If the Walla-Wallas and their confederates were friendly, why did they conduct themselves in such a manner as to inspire distrust and alarm in the minds of the settlers among them, which ultimately forced those whites to abandon their homes, at the sacrifice of their property. If they were unoffending why did they furnish recruitments to the Yakimas and Klickitats? If they were friendly why did individual members of the tribes warn some of the settlers that they were in imminent danger and urge them to fly without preparation or delay? If they were unoffending and friendly why did they conspire against the life of their agent? and why did pillage and destroy Fort Walla-Walla and the agency buildings? But it is needless to consume your time in the refutation of a charge so malicious and unfounded.

I have thus briefly and plainly alluded to the motives that influenced my action and policy by which it was governed. Whatever may be the ultimate result to myself whether or not I be condemned for doing that which a momentous and critical state of affairs, made an imperative duty is of inferior consequence to the early liquidation of the indebtedness accruing from the war. I entertain the confident belief that the general government is too magnanimous and just to permit the patriotic and self sacrificing spirit evinced by my fellow citizens, in devoting their personal and property to the urgent demand of the occasion to remain long acknowledged and uncompensated. — It is the highest obligation of the government to protect the lives and property of the people, and for such an omission to make the only indemnification possible. Precedents are abundant to show that in similar exigencies the government has always been actuated by that sense of justice and impartiality which should continue, and doubtless will, to distinguish its conduct. When recently at Washington I succeeded in my efforts in conjunction with those of our indefatigable delegate, in procuring from Congress such action as authorized a board of Commissioners to ascertain and audit the expenses necessarily incurred in the war, I have no reason to entertain any apprehension as to the final payment of those expenses by the general government.

The commissioners have made their report and it has gone forward to the Secretary of War. The manner in which these gentlemen have performed their duty will no doubt prove satisfactory to the government.

I would not presume to intimate that there may be no contest upon the appropriation of so large an amount as is necessary to defray these liabilities. The incidents and experiences of Congressional legislation teach otherwise. However just and worthy a cause may be, it is never free from trials and reverses. While we hope that no needless delay may occur in obtaining such action of Congress as may be desirable and satisfactory, still any deferment of that action cannot be regarded as prejudicial to ultimate success.

The positive necessity that the military power of the government should afford protection to the annual immigrations by the overland route to the Pacific is every year becoming more and more apparent. The past season has furnished a sad catalogue of atrocious crimes perpetrated upon such parties by savage hatred and rapacity. The security of the life and property of the American citizen in his travel through the domain of the nation, must be assured whatever the burden of expense. The protecting power of the government should always surround its citizens, especially within the limits of its own jurisdiction, else its authority becomes a mockery and a reproach.

I desire to call your attention to the necessity of some additional provisions to insure the punishment of crime. That portion of the Penitentiary building, which has been used for the confinement of criminals is now insufficient for that purpose, on account of the increased number of convicts, and other arrangements are requisite to be made to guarantee their security and punishment. I would respectfully recommend that some plan be devised to make the institution a self-sustaining one. As at present conducted it is a heavy expense to the Territory.

The officers of the financial department are required by law to report directly to the Assembly. Their reports exhibit a most satisfactory condition of affairs, and I feel it my duty to commend these gentlemen for the faithful and efficient manner in which they have performed their responsible duties.

I congratulate you upon the flourishing condition of the Territory. Town and country are in the enjoyment of exultant health and abounding plenty. Active industry in every department of labor is realizing its encouraging reward. The reverses and discouragements incident to the war have served to exhibit, in a most gratifying manner the resolute and energetic character of our population. The spirit of improvement is every manifest, and the future is radiant with promise.

It is a pleasant reflection and one that will go with me in my retirement from official duty, that during the period of my administration, which has not been without unusual trials and embarrassments, amid calamitous events, and times of great public exigency, the Territory has steadily advanced in the development of those means and capacities which make a country truly great, and the people prosperous and happy.

May the dispenser of all good continue the bestowment of his divine favor, that the future may redound to his honor and glory and the advancement and welfare of the country.

I have the honor to assure you of my desire to co-operate with you cordially, in the promotion of the public good.

Executive Office,
Salem, Dec 7, 1857. (Signed) Geo L. Curry

## By the Governor of Oregon Territory

## A Proclamation

Whereas, the people of the Territory of Oregon, through delegates in Convention assembled, prepared a constitution for their government under a State organization, and submitted the same, with certain propositions, to be approved and determined at an election which was held in the said Territory on the 9th day of November, A.D. 1857, in conformity to the provisions made by said Convention of delegates, and

Whereas, it was further provided by said Convention of delegates that the result of said election should be announced by executive proclamation: Therefore to that end it is hereby declared and made known, that at the said election, held on the 9th day of November, A.D. 1857, there were seven thousand one hundred and ninety-five votes given for the adoption of the said Constitution, and three thousand one hundred and ninety-five votes against its adoption. There were two thousand six hundred and forty-five votes given in favor of Slavery, and seven thousand seven hundred and twenty-seven votes against Slavery, and there were given one thousand and eighty-one votes in favor of permitting the residence of free Negroes, and eight thousand six hundred and forty votes against the same.

{L.S.} In testimony whereof I have hereunto set my official signature, and caused the seal of the Territory to be affixed, at Salem this 14th day of December, A.D. 1857.

By the Governor (Signed) Geo L. Curry

B. F. Harding
Secretary of the Territory of Oregon.

December 14th 1857.

E. M. Barnum appointed and commissioned a Notary Public for Polk County Oregon Territory.

Executive Office, Salem, Dec 15, 1857.

To the Council and House of Representatives of Oregon Territory:

In accordance with the third section of the law providing for the erection of the Public buildings, I have the honor to submit the subjoined report of the disbursements and condition of the fund appropriated by Congress for such purposes.

Balance unexpended, as reported on December

10th 1856, $4 581

| Date of Draft. | In whose favor | Amount | |
|---|---|---|---|
| Dec 15, 1856, | Coy & Palmer | $192.00 | |
| Dec. 19, 1856, | Charles Bennett, deceased, | 125.00 | |
| Feb. 10, 1857, | Wilie Chapman, | 120.00 | |
| June 5, 1857, | Wm H. Rector, | 1368.00 | |
| Sept. 24, 1857, | Wm H. Rector | 1372.50 | |
| Balance in my hands. | | 1404.26 | = $4 581.76 |
| Remaining in the Treasury of the U. S. | | | $17 000.00 |

Respectfully submitted
(Signed) Geo L. Curry

January 13th 1858.

L. W. Sloat appointed and commissioned a Commissioner of Deeds for California.

March 16th 1858.

John Fleming appointed and commissioned a Notary Public for Clackamas County Oregon Territory.

May 12th 1858

A. C. Gibbs appointed and commissioned a Notary Public for Douglas County Oregon Territory

June 10th 1858

W. W. Page appointed and commissioned a Notary Public for Multnomah County Oregon Territory,

June 28th 1858.

Anthony L. Davis appointed and commissioned a Notary Public for Multnomah County, Oregon Territory.

July 9th 1858-

A certificate of election issued to L. F. Grover member elect to Congress from the State of Oregon

July 21st 1858

Charles [illegible] appointed and commissioned a Notary Public for Marion County Oregon Territory -

July 9th 1858.

The returns of the Election held on the 7th ultimo for Prosecuting Attorneys were this day opened and the votes canvassed according to law, Whereupon it appeared that for Prosecuting Attorneys.
I. N. Smith was elected in the First Judicial district,
A. C. Gibbs " " " " Third " "
R. F. Hayden " " " Fourth " "
Certificates issued to I. N. Smith A. C. Gibbs and R. F. Hayden Prosecuting Attorneys —

## A Proclamation

To the Sheriffs of the County of Yamhill and Clatsop, Greeting:- Whereas information having been received that a vacancy exists in the Council of the Legislative Assembly, by reason of the resignation of Thomas Scott.- You are hereby required to notify the several judges of election in your respective Counties of Yamhill and Clatsop, that a special election will be held on Monday, the 23rd day of August next, for the purpose of electing one member of the Council to fill said vacancy.

Given under my hand at Salem in said Territory this 27th day of July A. D. 1858.

Geo L. Curry

By the Governor
B. F. Harding
Secretary of Oregon

## Writ of Election

To the Sheriff of the county of Umpqua Greeting;

Whereas information having been received that a vacancy exist in the House of Representatives of the Legislative Assembly, by reason of the resignation of James Cole, you are hereby required to notify the several judges of election in your said county of Umpqua, that a special election will be held on fourth Monday, the 25th day of October next, for the purpose of electing one member of the House of Representatives to fill vacancy.

Given under our hand, at Salem, in the Territory of Oregon this 30th day of August, 1858.

Geo L. Curry

By the Governor
B. F. Harding
Secretary of Oregon

September 1st 1858

Stephen Clark, appointed and commissioned Notary Public for Marion County Oregon Territory.

September 13th 1858–

Writ of Election

To the Sheriff of the County of Marion, Greeting:

Whereas information having been received that a vacancy exists in the Council of the Legislative Assembly, by reason of the resignation of Edward Shiel, you are hereby required to notify the several judges of election in your said county of Marion, that a special election will be held on the fourth Monday, the 25th day of October next, for the purpose of electing one member of the Council to said vacancy.

Given under our hand, at Salem, in the Territory of Oregon this 13th day of September 1858.

Geo L. Curry

By the Governor

B. F. Harding

Secretary of Oregon.

September 24th 1858.

Thomas H. Smith appointed and commissioned a Notary Public for Columbia County, Oregon Territory.

October 1st 1858.

James W. Pyle appointed and commissioned a Notary Public for Douglas County, Oregon Territory.

October 14th 1858.

L. F. Carter appointed and commissioned a Notary Public for Marion County, Oregon Territory.

December 29 1858

Whereas at the April term 1858 of the District Court of Jackson county a certain Miles Wakeman was indicted and tried for the commission of a public offence, and convicted thereof and sentenced to pay a fine of twenty five dollars and costs, and the said Miles Wakeman having been recommended to the clemency of the Executive;

Therefore in consideration of the premises, and divers good and sufficient reasons moving the Executive thereunto said Miles McKernan is hereby pardoned the said offence of which he stands convicted, without a remission of the pecuniary penalties incurred therefrom and is fully restored to the enjoyment and exercise of such civil rights as he may have been deprived of by the commission of the said offence

Whereas at the April term 1858, of the District Court of Jackson county a certain Martin Murphy was indicted and tried for the commission of a public offence, and convicted thereof and sentenced to pay a fine of twenty five dollars and costs, and the said Martin Murphy having been recommended to the clemency of the Executive; —

Therefore in consideration of the premises, and divers other good and sufficient reasons moving the Executive thereunto, the said Martin Murphy is hereby pardoned the said offence of which he stands convicted, without a remission of the pecuniary penalties incurred therefrom and is fully restored to the enjoyment and exercise of such civil rights as he may have been deprived of by the commission of the said offence.

December 4th 1858.
M. M. McCarver appointed and commissioned a Notary Public for Multnomah County Oregon Territory.

Fellow Citizens of the
Legislative Assembly

Contrary to the general expectation prevailing a year ago, the requirements of a form of government, which the people have taken measures to supersede, have occasioned another session of the Legislative Assembly of the Territory. I am not aware that there has been any change in public opinion since the emphatic declaration at the polls in favor of a State organization. Indeed the argument in support of such a change in the form of our government, has become more conclusive and is gathering additional force with every day's experience, from causes that are exerting an influence in every department of practical life. The opening of new channels to commerce, and new and extensive foreign markets for American productions, are circumstances involving in a very material manner the interests and welfare of our population. Active, beneficent, energetic industry is everywhere seeking to enlarge its fields of labor, and to increase its means of usefulness — subjugating the elements — tracking the untried avenues to wealth — disclosing and creating, as it were, new principles of power — fresh resources of national greatness and prosperity in enterprises as marvelous as the results are magnificent and gratifying, in conducing to the advancement and happiness of man.

The brilliant prospects of the communities, upon the Northern Pacific slope of the continent, are plainly gleaming in the future. Oregon should be in a political position to enable it to aid in controlling, or at least successfully resisting, the combinations of circumstances and influences, which may soon be brought to bear against American interests in this quarter of the world, and to realize such benefit and success as its situation, capacities and the enterprise of its citizens may justly award it. As a Territory it is helpless and insignificant; as an independent sovereignty in the Union, it can wield a power that may command its destiny. The complete development and successful application of all resources hitherto indifferently managed, or comparatively neglected — to the permanent establishment of a commercial, manufacturing and mechanical distinction, in addition to our already well earned agricultural reputation, is a consummation to be wholly and satisfactorily achieved only through the instrumentality of political sovereignty. We have claims to demand of the general government, which, our experience as a Territory incline us to the belief, can be obtained but through a State representation in Congress.

Notwithstanding the accumulation of doubt which has settled upon the question, we indulge the hope, that, at the present session of Congress, Oregon will be admitted a State in the Union. If its population is numerically insufficient to entitle it to a representative in Congress, and, after all, it is to be excluded on that account, we shall be obliged to hold the general government itself, in a great measure, responsible for that circumstance. For several years past, the main thoroughfare between the settlements on either side of the Rocky Mountains, has been permitted to be encompassed by such imminent danger, as to preclude the possibility of any augmentation to our population by the overland route, the important and usual source of such incre However mortifying the fact, it is nevertheless true, that a nation as great as the United States, for a series of years, has maintained no safe and certain communication with its Territorial dependen through its own domain. The lives and property of the immigra have been exposed to all manner of peril, and have not unfrequently fallen a sacrifice to Indian atrocity, or ser to glut the cupidity of the Mormons. The 14th section of act organizing the Territorial government of Oregon, would seem to be an inviolable guarantee of our right to admission, as our population most unquestionably exceeds the number therein required. Most assuredly we ought to insist upon the fulfilment of the terms of that compact in this respect, although in other particulars it be repugnant to the Constitution. If, notwithstanding, our legitimate claims are to be ignored and Oregon is to be remanded to its Territorial condition, I shall regard it as among the most unhappy events which could have befallen us. Oregon has been for more than ten years a populated Territory of the United States, and governed as such. For several years, extending beyond that period, its inhabitants had exhibited their capacity for self-government, in all of which time they have been loyal to the Union. Indeed the American citizens who settled here at an early day, were mainly instrumental in preserving the Territory to the United States. Several years since, in a memorial to Congress, the people of Oregon sought such changes in their organic law as would ameliorate it very materially, and make it more generally acceptable. Notwithstanding the unsuccessfulness of the effort, the order-loving, law-abiding character for which they have always been distinguished, remained unimpeached. Among them there has been no senseless rabble to violate the laws, or fanatical excitement to engross the attention of Congress, to the exclusion of the legitimate and more important business of the nation.

The Territorial system of government, as a policy of the federal government, was inaugurated by the Congress of the Confederacy of the original thirteen States, on the eve of the formation of the Constitution, in an act "to provide for the government of the territory of the United States north-west of the river Ohio." Eminent men of the times viewed with distrust this new feature in the operations of the government, and the adoption of the Constitution was urged as a "protection against such "unwarrantable and dangerous exercise of power." The continuance of the system cannot be sustained by any strict construction of the Constitution. It is an infringement of that instrument. It does not accord harmoniously with the spirit of our institutions. It is wrong in principle. There is no provision of the Constitution which confers the right to acquire territory to be retained as territory and governed by Congress with absolute authority. Nor, by the terms of the federal compact, can the people of the United States, who choose to go out and reside upon the vacant territory of the nation, be regarded as mere adventurers, without individual or political rights, and be made to yield a ready obedience to whatever laws Congress may deem best for their governance, and pay implicit deference to the authority of such officers as may be sent out to rule over them. No such power has ever been delegated by the sovereign people of the sovereign States to the government of the United States, and no such principle underlies the government. Our government is composed of a union of independent States or sovereignties, the people of these several States have conceded to the general government the exercise of certain powers, which are expressly named in the Constitution, and withheld certain other powers, which are just as particularly stated therein. Each State exercises within its own boundaries the rights of sovereignty appertaining to its own affairs, and restricted only in the use of those powers it has already delegated to the general government, whose authority is supreme over each State, and the entire Union, only within the extent of the power conceded to it.

The Supreme Court of the United States have already established the fact that there has been unconstitutional legislation on the part of Congress in respect to the Territories. And in reference to that clause of the Constitution which gives Congress the power "to dispose of and make all needful rules and regulations respecting the territory or other property of the United States," which is contended for as the source from which Congress derives the power to govern the Territories, that tribunal has also clearly determined that no such power exists therein. In the language of the opinion: "It was to transfer to the new government the property then held in common by the States, and to give to that government power to apply it the objects to which it had been destined by mutual agreement among the States before their league was dissolved. The words 'needful rules and regulations' would seem also to have been cautiously used for some definite object. They are not words usually employed by statesmen when they mean to give the powers of sovereignty, or establish a government, or to authorize its establishment."

In our experience and progress as a nation, this question of the authority of Congress over the Territories, is assuming a most grave and serious aspect. Already a powerful political party in the country is contending for a principle, which, if acknowledged, would carry with it the absolute sovereignty of Congress over the Territories — the subversion of individual rights, which are guaranteed to every citizen of the United States — the consequent utter violation of the Constitution, and the probable disruption of the government.

In my judgment, Congress has no constitutional authority to establish governments anywhere upon the public domain, or to create and ordain any species of Constitutional or organic law for the government of any civil community anywhere within the boundaries of the United States. Nor is it requisite for the welfare, growth and prosperity of the republic, that Congress should exercise this extraordinary power. Happily the genius of our government, and the Constitution itself, affords ample provision for the preparation and development of the incipient State, with a view to its ultimate assumption of independent sovereignty in becoming a member of the confederacy.

The Constitution expressly gives the power to enlarge the territorial limits of the United States by the admission of new States, and by that means only.

The States of Texas and California came into the Union legitimately without any previous political existence under Congressional or Territorial rule. Yet both had an active, practical political sovereignty for sometime before their admission. It may be said that within the boundaries of the State of Texas, the eminent domain was never possessed by the United States — that the fee simple to large tracts of the territory of California was in the occupants of the soil, by action of the Mexican government, prior to the acquisition of that country. Nevertheless, I undertake to say, that the establishment of civil communities, composed of American citizens, respecting the Constitution and Laws of the United States, upon the public territory, outside and beyond the boundaries of the several States, need not necessarily involve any conflict as to the title to the soil. A possessory interest vests in them at the time of settlement, by reason of the landed policy of the government, if from no other cause, and it is only a question of time when that interest shall be fully and perfectly established and identified in the individual.

Such communities, also, have the indefeasible right to govern themselves in accordance with the Constitution and in subordination to the government of the United States. The principle of community independence, or the independence of the body politic, was the cause of the origin of the nation. It was achieved by the wisdom and valor of our ancestors, and came to us baptized in the blood and fire of the revolution. Upon it rests the beautiful fabric of our government, which could not otherwise exist, for the Union itself is dependent upon the principle of community independence. Ought a nation that recognizes this principle in every phase of its organization — in its township formations, its County formations, its State formations, deny it to a body of its own citizens associated in the wilderness? — There is no necessity or constitutional authority for Congress to organize governments for such communities — to assign them executive officers not of their own selection — to prescribe a form and limit for their legislation, and to assume the right to disapprove their laws. The judicial power of the government alone can exercise the power to decide upon the constitutionality of legislation. Legislative powers only are vested in Congress, and only such as are created by the Constitution, and that body therefore cannot assume the functions of a coordinate branch of the government. Congress can impart no more permanency and perfection, by any act of organization, to such temporary form of government, than it possesses of itself.

I claim for these inchoate States no right of absolute or independent sovereignty. They are as responsible to the federal government, in every essential particular, as they would be under a Congressional act of organization. And while they are progressing in their social and political development towards the period when they shall be fitted for membership in the confederation of sovereignties, they are entitled to the fostering care of the parent government, in the extension of such laws, policies and systems as may be best calculated to promote their welfare and prosperity, and hasten the period when they may be qualified to assume the powers of sovereign States.

I am admonished, by the present peculiar condition of the political existence of Oregon, of the delicate nature of the topic under consideration. I sincerely trust I commit no indecorum in any manner of acknowledgment of the customary annual courtesy extended by the Legislature to the Executive department of the government. In respect to the subject of the Territories, I could not say less in justice to myself and the people with whom I have been agreeably associated, for so many years. We all love our Country — the great and glorious union of States, whose brilliant progress in the development of social and political excellence, and the attainment of practical and scientific wisdom, is challenging the admiration of the world. We love her with a devotion that may not be questioned — from the Atlantic seaboard to the more genial Pacific coast — from the lake-bounded North to the extremest sunny South — no one part more than another, and not one section less than the whole. But while the sentiment of patriotism inspires our hearts, it should never blind our judgment, or embarrass our speech in behalf of that which is clearly right and just, and defence of those very principles which are the immutable foundation of the republic.

The subject of a railroad across the continent, has now agitated the public mind for several years, and has been the theme of much discussion in the halls of Congress. That the present session may not terminate without some definite action in favor of so worthy an enterprise, is the earnest wish of every one who has the least concern in the welfare and improvement of the Country. The steady accumulation of American interests on this Coast, their importance and increasing magnitude, ought to command a commensurate regard.

A railroad communication between the Atlantic and Pacific seaboards, is certainly as much for the benefit of one section of the country as another. Congress should facilitate the undertaking by every means consistent and proper. In a military point of view, it is essential to the nation as a means of protection and defense. It is needed by the government in the transportation of troops and supplies. In this respect alone, it would save millions to the country. It would prove of national benefit in a variety of ways, but in none more than in equalizing population. In those too densely crowded localities in the eastern States, where the suffering poor eke out a miserable existence, what moral service would be rendered by furnishing labor and its means to the unemployed and destitute, thus preventing crime, and adding to the wealth of the State. Here, in Oregon, there are homes for the homeless, and wealth for the impoverished. Towards the improvement of the country, I would give more for one honest-hearted, industriously disposed immigrant, who does not despise labor, and is not ashamed to work, than I would for dollars of capital. Here on the Pacific coast, we ask for people, not money.

What untold affluence! what advancement in civilization! what magnificent national results will be the consequence of the successful completion of this great work. The recent inducements to intercourse and traffic with Japan, and the more recent treaty with China, by which our commercial relations with that rich and populous empire are made more intimate and extensive, should excite a laudable ambition to obtain and control this profitable trade. With the most perfect and best appointed steam marine on the sea — with two of the finest harbors in the world upon the Northern Pacific, and one or more lines of railroad to the Atlantic side, what nation would be likely to compete successfully with the United States in commanding the advantages of Asiatic commerce, which eventually must become the most important and opulent on the face of the globe. As for the route, we ask for one over such ground as will soonest afford us the benefit of the road. It is not supposed that in the present condition of the Treasury, an appropriation will be made in money; I am not aware that it is desired, but liberal grants of land will do more towards the accomplishment of the object, than a definite amount in dollars and cents. Whatever is done must be done at once, and quickly, unless the people of the United States are disposed to allow a foreign power to perfect the work and reap the harvest which will inevitably result therefrom. I would respectfully suggest the propriety of an earnest memorial to Congress asking its immediate action in behalf of this object. I know that this is a hackneyed usage that has availed us little or nothing in the past — our memorials being seldom heard from or never received — yet I recommend its observance in this case, with the hope that our persistency may luckily meet with some appreciation. The constant dropping of water will wear away the rock.

The present age has witnessed the eighth wonder of the world, in the accomplishment of telegraphic communication between the old and new worlds. The extraordinary benefits which will accrue to civilization from this event are almost incalculable. It is a gratifying fact that every triumph of science and art is an amelioration of the condition of mankind. The closer that nations are brought together, the less liability is there of differences to be adjusted by a resort to war. Revolutions may occur, but they will be peaceable revolutions, accomplished by the comparison of ideas and policies. They will be none the less effectual in the cause of human progress, because they are not achieved by battle and bloodshed. The mission of the Telegraph, however, will be regarded as incomplete, until its wires cross the continent as they do the sea.

In the early part of the past spring, a few renegade Indians from various tribes, who had refused to be placed upon the reservation, killed two citizens, and committed other hostile acts, and occasioned much alarm and annoyance to the settlers in the vicinity of the mouth of Rogue river.— Upon the petition of the citizens of the county generally, I approved the temporary enrollment of a small volunteer force for the protection of that section, until communication could be had with Gen. Clark, in command of the military department of the Pacific, whose prompt action and regard for the welfare and security of the country at large, I am happy to acknowledge. Through the judicious management of the volunteers, and agents of the Indian department, however, these depredations were stayed, by the apprehension and removal of the Indians. I beg to suggest the propriety of making some provision for the payment, after proper auditing, of the necessary expenses incurred by the volunteer organization to which I have alluded, which, under the circumstances, cannot be very considerable in amount. I have, otherwise, nothing new or particular, to communicate respecting Indian affairs so far as Oregon is concerned. The wise establishment of a military garrison at Walla Walla, has served to protect our northern frontier.

The eastern part of our sister Territory of Washington, has quite recently been the scene of active military operations against certain Indian tribes who had evinced their hostility in repelling a force of U. S. troops which had entered their country on a march to the Colville. A strong military column was promptly dispatched to punish and subdue them. Several engagements occurred, resulting in the discomfiture of the Indians and their ulti suing for peace, which seems to have been granted them as the troops have since returned. It is to be hoped that these Indians, as well as the tribes adjacent to them, have been sufficiently impressed with the power of the government, to maintain hereafter, amicable relations with our people.

It is a matter of congratulation, that by a late order of the war department, the Territory of Washington and a part of this Territory, (it should have included the whole of it,) have been created a distinct military department, and an officer of high professional worth and ability, in the person of Gen. W. S. Harney, has been assigned to command it. He has recently arrived and assumed the discharge of his duties, with that promptitude and zeal which cannot fail to promote the efficiency of the service and the general security of the country. His recision of the military order excluding from settlement our Territory east of the Cascade mountains, which had been invited by laws of Congress, is an assurance against any similar invasion of our rights, while his brilliant military renown is a guarantee of protection against acts of Indian hostility.

The organization of this new military department will afford a re-assurance to immigration. With a garrison of U. S. troops at, or in the vicinity of Fort Boise, sufficiently strong to extend protection, if necessary, beyond that point, we may regard the immigrant trail as once more open, and comparatively safe, and may reasonably look forward for those accustomed yearly accessions to our population of which we have been so long deprived.

The Board of Commissioners on the part of the United States to adjust the Indian war expenses, concluded their labors by a supplemental report, a copy of which I have the honor to transmit. The United States having assumed this debt, it is certainly time that some provision was made for its payment, which should be done speedily, or the original and meritorious claimants, suffering from the unjustifiable delay, may be compelled to part with their claims to the speculator, at a great pecuniary sacrifice. If a direct appropriation in money cannot be made at the ensuing session of Congress, that ought, at least, to authorize the issue of government bonds, drawing an ordinary rate of interest in favor of these creditors of the government, or make some other suitable and satisfactory arrangement for their relief.

within the past year, I have declined to make a requisition upon the Executive of California for the delivery of a fugitive from justice. I was induced to this course from the fact that not only had these requisitions occasioned large expenditures from the Territorial treasury, without securing any satisfactory result subserving the ends of justice, except in a solitary instance, but the ordinary difficulties and uncertainties attending the successful demand and removal of such fugitives were greatly multiplied by the intimation of an opinion touching the constitutional obligation of an Executive of a State, to surrender a fugitive on the requisition of the Executive of a Territory, in a judicial decision which had lately been delivered in that State, and which set free, to prey again upon society, certain criminals, who else would be now with their accomplices, realizing the wages of crime in our penitentiary. The sovereignty of California can practically supply any real, or apparent deficiency of the Constitution in this particular, and its legislative power should do so at once, rather than an exemption should occur in the punishment of crime, which must unavoidably tend to its commission. Until the Legislature of California shall have amended the laws of the State, so that there shall no longer remain a question as to the authority of a Territory to demand its fugitives from that State, I regard it as utterly futile, and a useless and inexcusable tax upon the public treasury to pursue the method prescribed by our Statutes in the extradition of criminals, so far as the State of California is concerned.

I would beseech your active sympathy in behalf of a class of individuals unfortunately increasing in our midst. The provisions made by law for the insane, [illegible] quite inadequate. Humanity requires not only that they should be taken care of, but that every possible effort should be made to restore reason and re-establish the mind. There should be an Asylum for the insane within the Territory. It should be a public institution at the service of the several counties, as well as the private citizen upon the payment of a stipulated sum. It ought to be so regulated and conducted, as not to be a charge upon the Territorial treasury, although the people, no doubt, would pay a tax uncomplainingly towards its support. Whatever action you may be pleased to take towards the accomplishment of an object so humane and benevolent, the State, should it be admitted in the meantime, no doubt would forward and complete.

Inasmuch as the Executive is not a part of the law-making power, I refrain from an expression of my views in regard to some questions upon which you may be required to act, and in reference to which, a wide difference of opinion exists in community.

I desire to call your attention to the necessity of provision for the safekeeping and preservation of the Territorial arms, as well as the public records in the off of Adjutant General and Quartermaster General of the Terri

Those records embrace the duplicate papers to which reference is made in the report of the Commission on Indian war expenses, and consequently are of great interest and value.

I beg to submit a copy of correspondence with the Secretary of the Interior in relation to public buildings; also, a report from the Adjutant General as to the special volunteer service in Curry county.

Invoking a continuance of Divine favor, and with the confident hope that your deliberations may result in such legislation as shall be judicious and satisfactory, I assure you of my readiness to co-operate with you in all things for the public good.

Executive Office, Dec. 6, 1858 — Geo L. Curry

December 7th 1858.

Walter Farrar appointed and commissioned a Notary Public for Marion County Oregon Territory.

J. G. Sparks appointed and commissioned a Notary Public for Wasco County Oregon Territory.

A. VanDusen appointed and commissioned a Notary Public for Clatsop county Oregon Territory.

Dec 21, 1858, D. B. Kennedy appointed & commissioned a Notary Public for Clackamas Co, Oregon.

January 12th 1859.

Whereas at a special term of the District Court, Linn county, Oregon Territory, held on the 17th day of January, 1854, a certain William Melvin was convicted of a criminal offence and sentenced to imprisonment for life in the Penitentiary, — and the said William Melvin having been recommended to the clemency of the Executive by petition numerously signed.

Therefore in consideration of the premises, and divers other good and sufficient reasons moving the Executive thereunto, the said William Melvin is hereby pardoned the crime of which he stands convicted and the residue of his said punishment remitted